

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Jacobs et al.

Appl. No.: 09/975,587

Confirm. No.: 8688

Filed: October 11, 2001

Title: LAYERED ARCHITECTURE FOR DATA
REPLICATION

PATENT APPLICATION

Art Unit: 2155

Examiner: Alicia Baturay

Customer No. 23910

**TRANSMITTAL LETTER RE INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.

This statement should be considered because:

- ☒ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:
 - (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.
 - AND (*check at least one of the following*) —
 - (a) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
 - OR —
 - ☒ (b) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

FLIESLER MEYER LLP

Date: March 9, 2007

By: /Joseph P. O'Malley/
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Form PTO-1449 (Substitute)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number: BEAS-01077US3	Application/Patent Number: 09/975,587
Information Disclosure Statement BY APPLICANT <i>(Use several sheets if necessary)</i>		Applicant/Patent Owner: Jacobs et al.	
		Filing/Issue Date: October 11, 2001	Group Art Unit: 2155

U.S. PATENTS						
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Filing Date
	1.	5,163,148	11/10/1992	Walls		
	2.	5,805,798	09/08/1998	Kearns et al.		
	3.	6,122,629	09/19/2000	Walker et al.		
	4.	6,389,462	05/14/2002	Cohen et al.		
	5.	6,405,219	06/11/2002	Saether et al.		
	6.	6,505,241	01/07/2003	Pitts		
	7.	6,963,857	11/08/2005	Johnson		

U.S. PATENT PUBLICATIONS			
Examiner Initial		Patent Application Publication Number	Publication Date
	8.	2003/0233433	12/18/2003
	9.	2006/0168118	07/27/2006

FOREIGN PATENT DOCUMENTS						
Examiner Initial		Document Number	Publication Date	Country	Class	Trans- lation Yes No

NON-PATENT LITERATURE DOCUMENTS
(Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, pages, volume-issue number(s), publisher, city and/ or country where published.)

Examiner	Date Considered
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
<p>*1 = Copy not submitted because it was submitted in prior application SN ___/_____, filed _____, 20____, relied on under 35 USC §120.</p>	
<p>*2 = Copy not submitted because it was submitted in prior application SN ___/_____, filed _____, 20____, relied on under 35 USC §120.</p>	